

FROM :

FAX NO. : 6104379150

Dec. 26 2007 09:46AM P1

PTO/SB/21 (09-08)

Approved for use through 03/31/2007. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL
FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission 16

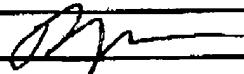
Application Number	10/553,137
Filing Date	1.A. 04/15/2004
First Named Inventor	Berinateln, N.
Art Unit	TBD
Examiner Name	TBD
Attorney Docket Number	API-03-03-PCT-US

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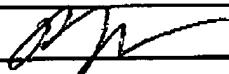
ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Please see Remarks
<input type="checkbox"/> Remarks Enclosed: 1) Response to Notice of Defective Response dated 11/26/2007 (1 page); 2) copy of Notice (2 pages); 3) declaration (4 pages); 4) copy of response filed 06/28/2007 (8 pages) Submitted via facsimile to 571-273-8300		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Patrick J. Halloran, Ph.D., J.D.		
Signature			
Printed name	Patrick J. Halloran		
Date	12/26/2007	Reg. No.	41,053

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature	
Typed or printed name	Patrick J. Halloran
Date	12/26/2007

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including the gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/21 (09-06)

Approved for use through 03/31/2007. OMB 0651-0031

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TRANSMITTAL
FORM

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Total Number of Pages in This Submission

208

Application Number

10/553,137

Filing Date

04/15/2004

First Named Inventor

Berinstein, N.

Art Unit

TBD

Examiner Name

TBD

Attorney Docket Number

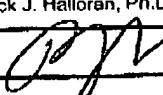
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ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> Copy of Notice dated 12/28/2006: additional attachments listed in Remarks section
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input checked="" type="checkbox"/> CD, Number of CD(s) 2	
<input checked="" type="checkbox"/> Reply to Missing Parts/ Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks		
US Express Mail No. EB080506411US Additional attachments: Response to Notice of Missing Requirements dated 12/28/2006 (6 pages); paper copy of new sequence listing (36 pages); declaration (4 pages); marked-up copy of amended specification (80 pages); clean copy of amended specification (77 pages)		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Patrick J. Halloran, Ph.D., J.D.		
Signature			
Printed name	Patrick J. Halloran		
Date	06/28/2007	Reg. No.	41,053

CERTIFICATE OF TRANSMISSION/MAILING

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Signature		
Typed or printed name		Date

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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FROM :

FAX NO. :6104379150

Dec. 26 2007 09:48AM P9

LB 0805 06411 US
Deposited June 28, 2007

Scr. No. 10/553137
Borinstein et al.
API-03-03-PCT-US



Attached: 1) Response (6 pages); 2) Two (2) CO-ROMs;
3) Paper copy of sequence listing (36 pages); 4) Declaration
(4 pages); 5) Marked-up copy of amended specification (80 pages);
6) Clear copy of amended specification (77 pages); 7) copy
of Notice dated 12/28/06; and, 8) Transmittal Letter

PATENT
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Docket No. API-03-03-PCT-US)

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In re Application of:

Berinstein, et al.

Serial No.: 10/553,137

Examiner: TBD

Filing Date: April 15, 2004

Art Unit: TBD

**For: TUMOR ANTIGENS BFA5 FOR
PREVENTION AND/OR TREATMENT
OF CANCER**

**Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Submitted via facsimile to 571-273-8300**

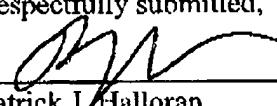
RESPONSE TO NOTICE OF DEFECTIVE RESPONSE
DATED NOVEMBER 26, 2007

Dear Sir / Madam,

This is a response to the Notification of Defective Response dated November 26, 2007. Attached herewith are: 1) Transmittal Form; 2) a copy of the Notice (2 pages); 3) declaration (4 pages); and, 4) copy of response filed June 28, 2007 including return postcard showing that declaration was previously submitted (8 pages). It should be noted that the response filed June 28, 2007 included a preliminary amendment and payment of all fees including excess claim fees based on that amendment.

Applicants do not believe any petitions, requests for extension of time, or fees are due with this response. If this is in error, Applicants hereby make such petition or requests and authorize the deduction of any required fees from Deposit Account No. 500715. If funds available in Deposit Account No. 500715 are insufficient, the fees may be deducted from Deposit Account No. 50-0244.

Respectfully submitted,



Patrick J. Halloran
Reg. No. 41,053

Date: December 26, 2007

Patrick J. Halloran, Ph.D., J.D.
3141 Muirfield Road
Center Valley, PA 18034
Tel: 610-984-4751
pat@pathalloran.com

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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Commissioner for Patents
P.O. Box 1400
Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/553,137	Neil Bernstein	API-03-03-PCT-US
		INTERNATIONAL APPLICATION NO.
		PCT/IB04/01701
I.A. FILING DATE		PRIORITY DATE
04/15/2004		04/15/2003

CONFIRMATION NO. 1779
371 FORMALITIES LETTER



Date Mailed: 11/26/2007

NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- Priority Document
- Copy of the International Application filed on 10/14/2005
- Copy of the International Search Report filed on 10/14/2005
- Copy of IPE Report filed on 10/20/2008
- Preliminary Amendments filed on 11/23/2007
- Biochemical Sequence Diskette filed on 06/28/2007
- Biochemical Sequence Listing filed on 06/28/2007
- U.S. Basic National Fees filed on 10/20/2006
- Priority Documents filed on 10/20/2006

Applicant's response filed 11/23/2007 is hereby acknowledged. The following requirements set forth in the NOTIFICATION of MISSING REQUIREMENTS mailed 12/28/2006 have not been completed.

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- Surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 was not received.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

01/02/2008 ATRAN1 00000033 500715 10553137

page 1 of 2

01 FC:1617 130.00 DA
FORM PCT/DO/F0916 (3/1 Formalities Notice)

FROM :

FAX NO. :6104379150

Dec. 26 2007 09:47AM P4

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visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

WINSTON M ALVARADO

Telephone: (703) 308-9140 EXT 206

page 2 of 2

FORM PCT/DO/EO/016 (3/1 Formatted Text)

PAGE 4/16 * RCVD AT 12/26/2007 9:40:13 AM [Eastern Standard Time] * SVR:USPTO-EFXRF-6/14 * DNIS:2738300 * CSID:6104379150 * DURATION (mm:ss):04:30